

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 17 1993

Returned to applicant for correction FEB 18 1994

Corrected application filed APR 12 1994 Map filed APR 12 1994

The applicant James R. Buell, VMD

P.O. Box 6525 of Incline Village
Street and No. or P.O. Box No. City or Town

Nevada 89450 hereby make application for permission to change the
State and Zip Code No.
place of use

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit 21322 Certificate 8033
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 2.5 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for irrigation purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the NW1/4 NW1/4 of Section 11, T.45N., R.33E., M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within or at a point from which the NW corner of said Section 11 bears N 44° 36' 33" W a distance of 20.55 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use See Exhibit "A" attached.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 10.8 acres in the SW1/4 SW1/4 of Section 2, T.45N., R.33E., M.D.B. & M. 32.7 acres in the NW1/4 NW1/4 of Section 11, T.45N., R.33E., M.D.B. & M. 43.5 acres total
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well and irrigation system; well is complete. See well log filed under Permit 21322 Cert. 8033
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works in excess of \$10,000

13. Estimated time required to construct works 3 years; well and irrigation system are complete, but additional pipeline needs to be installed.

14. Estimated time required to complete the application of water to beneficial use..... 5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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Desert-Mountain Surveying as agent

By John H. Milton, III, P.L.S.,

By..... s/ John H. Milton III S.W.R.S.

146 W. Second Street

Winnemucca, NV 89445

Compared iv/gkl jr/bk

Protested 4/29/94 by Trident Farms, Raymond B. Lucas

APPROVAL

.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 21322, Certificate 8033 is issued subject to the terms and conditions imposed in said Permit 21322, Certificate 8033 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59200, 59201, 59616, 59617, 59618, 59619, 59620, 59621, 59622, 59623 and 59624 shall not exceed 3958.37 acre-feet annually for the irrigation of 1007.2 acres.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second, but not to exceed 174.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before August 3, 1996

Proof of completion of work shall be filed before September 3, 1996

Application of water to beneficial use shall be made on or before August 3, 1999

Proof of the application of water to beneficial use shall be filed on or before September 3, 1999

Map in support of proof of beneficial use shall be filed on or before September 3, 1999

AUG 29 1995

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of August,

A.D. 19 95

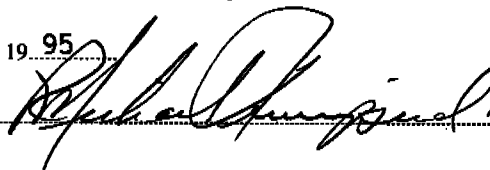

 State Engineer

Exhibit "A"
Application to Change Permit 21322

Item 7. - Proposed Place of Use

A portion of the W1/2 SW1/4 of Section 2, and a portion of the W1/2 of Section 11; the W1/2, S1/2 NE1/4, and the SE1/4 of Section 14; and the N1/2 NW1/4 and the N1/2 NE1/4 of Section 23, all within T.45N., R.33E., M.D.B. & M.-1018.00 acres.

